

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

EMPLOYERS AND OPERATING, ENGINEERS PENSION FUND, et al.,)	
)	
)	
Plaintiffs,)	
)	
vs.)	No. 06-927 DRH
)	
)	
RDS-VITO, INC. and VITO STRAMAGLIA,)	
)	
)	
Defendants.)	

ORDER

It appearing to the Court that the plaintiff has failed to effect service as required by the Clerk's Notice of Impending Dismissal for Want of Prosecution dated April 26, 2007 and the Court being fully advised in the premises,

IT IS THEREFORE ORDERED that the complaint filed herein be, and it is hereby **DISMISSED** without prejudice.

DATED: May 23, 2007.

/s/ David RHerndon
UNITED STATES DISTRICT JUDGE